

**III. Amendments to the drawing figures:**

In FIG. 1, the numeral "32" pointing to the heart on the left-hand side of the drawing has been changed to -- 31 --.

Please substitute the attached drawing "Replacement Sheet" for FIG. 1 of the originally filed drawings.

## REMARKS/ARGUMENTS

This Amendment is submitted in response to the first Official Action dated August 31, 2006. Reconsideration and allowance of claims 1, 3-6 and 8, as now amended, are respectfully requested.

The Office Action objected to Figure 1 of the drawings in that reference numeral "32" was used in two places. The substitute drawing submitted herewith cures this defect.

The specification has been amended at page 3 to include a description of Figure 3 that had inadvertently been omitted from the application as filed.

The Office Action also questions the spelling of "programmable" appearing at page 4, line 16. It is respectfully submitted that the word is properly spelled and that no correction is required.

The objections to the claims set forth in paragraph no. 3 of the Office Action have been obviated by appropriate amendments.

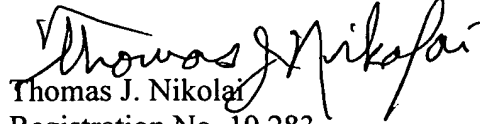
Concerning the rejection on the merits, claims 4 and 5 have been rejected under 35 U.S.C. 102(b) as anticipated by the Sholder et al. Patent 6,122,546. Further, claims 1 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Sholder et al. patent. Claims 2, 3 and 7 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present amendment, independent claim 1 has been amended to incorporate the limitations of dependent claim 2 such that claim 1 and claim 3 dependent thereon should be allowed. Similarly, the limitations of allowable claim 7 have been incorporated into independent claim 4, placing claim 4 and dependent claims 5, 6 and 8 also in condition for allowance.

Serial No. 10/806,954  
Amendment Dated September 13, 2006  
Reply to Office Action of August 31, 2006

In that all of the claims now remaining the application are in allowable form, a  
Notice of Allowance is respectfully requested.

Respectfully submitted,

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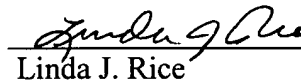
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#### CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment, a marked-up Figure 1 and a replacement Figure 1 filed in response to the Official Action of August 31, 2006, in application Serial No. 10/806,954, filed on March 23, 2004, of Kent Lee entitled "Ectopic Beat Detection Algorithm for Implantable Cardiac Rhythm Management Device" are being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on September 13, 2006.

Date of Signature: September 13, 2006.



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Attorney for Applicant(s)

